

REMARKS

In response to the second ("final") Office action mail-dated 25 August 2003, reconsideration of the application, as amended, is respectfully requested.

Applicant's response to the Office action mail-dated 08/25/03 includes the instant Amendment under 37 CFR 1.116 and a Request to Vacate Final Rejection being concurrently filed herewith.

Although no filing fees are anticipated in association with the instantly filed papers, the Office is respectfully requested to charge any fees as may be required, and to credit any overpayment, to Deposit Account No. 50-0958.

By Applicant's accompanying Request to Vacate Final Rejection, Applicant respectfully requests that the Office withdraw the finality of the Office action mail-dated 08/25/03. It is therefore respectfully urged that, as of right upon the vacating of the 08/25/03 final rejection, the amendments proposed herein should be entered and the application as amended hereby should be considered. "When a final rejection is withdrawn, all amendments filed after the final rejection are ordinarily entered." MPEP 706.07(e)

By the instant Amendment under 37 CFR 1.116, Applicant proposes to: cancel claims 5, 6, 9 and 17; amend claims 1, 3, 8,

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10-12, 14-16, 18-20, 22-24 and 27; and, add claims 28-31.

Assuming entry of all of the claim cancellations and amendments, claims 1-4, 7, 8, 10-16 and 18-31 are now in the application. A total number of twenty-seven claims remains in the application, wherein claims 1, 8, 14, 22 and 24 are independent claims.

Applicant respectfully urges that the claims as amendedly presented herein are allowable. Applicant believes that, in consideration of the claim amendments proposed herein, the rejections should not be maintained.

The claims are objected to because of informalities.

Claims 1-7 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In consideration of the claim amendments, Applicant respectfully requests withdrawal of the claim objections and the indefiniteness rejection under 35 U.S.C. 112, second paragraph. Applicant appreciates the Office's advice with regard to informality and indefiniteness in the claims. Applicant believes that, with the benefit of the Office's guidance, the present claims are free of indefiniteness and informality.

Claims 1-27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Su U.S. Patent 5,899,443 in view of Rivin U.S. Patent 5,934,653.

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Claims 14, 22 and 24 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 12 and 18 over Su U.S. Patent 5,899,443 in view of Rivin U.S. Patent 5,934,653.

In consideration of the claim amendments, Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. 103(a) and the rejection under the judicially created doctrine of obviousness-type double patenting.

None of the cited references, whether considered individually or combinatively, teach or suggest annularity of an actuator, concentricity/coaxiality of the actuator and a sensor, and situation of at least one streamlined resilient element upon the lower member in the area bounded by the actuator, as essentially recited in Applicant's independent claims 1, 8, 14, 22 and 24.

None of the cited references, whether considered individually or combinatively, teach or suggest the above-stated features wherein the at least one streamlined resilient element is symmetrical with respect to the concentricity/coaxiality of the actuator and the sensor, as essentially recited in Applicant's dependent claims 30 and 31.

None of the cited references, whether considered individually or combinatively, teach or suggest the above-stated features wherein the at least one streamlined resilient element includes a torus-shaped streamlined resilient element that is

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symmetrical with respect to the concentricity/coaxiality of the actuator and the sensor (as essentially recited in Applicant's dependent claims 18 and 28), or wherein the at least one streamlined resilient element includes plural torus-segment-shaped streamlined resilient elements that are arranged so as to describe a torus shape that is symmetrical with respect to the concentricity/coaxiality of the actuator and the sensor (as essentially recited in Applicant's dependent claims 19 and 29).

Support for amendments herein may be found in Applicant's figures 23 through 26 and in Applicant's specification between page 58, line 1182 and page 60, line 1219.

In view of the foregoing, Applicant respectfully requests entry of the present amendments in the claims, and further, respectfully requests allowance of claims 1-4, 7, 8, 10-16 and 18-31.

The Examiner should please feel free to contact the undersigned at telephone number 301-227-1834 to discuss any questions concerning this matter.

Respectfully submitted,



HOWARD KAISER
Reg. No. 31,381
ATTORNEY FOR APPLICANT

11/20/03
date

Office of Counsel (Patents), Code 39
Naval Surface Warfare Center, Carderock Division
9500 MacArthur Boulevard, West Bethesda, Maryland 20817-5700
phone (301) 227-1834 fax (301) 227-1968
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